

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
EASTERN DIVISION

DAVID DAFNEY,)
Petitioner,)
v.) CASE NO. 3:09-cv-0432-TMH
J. C. GILES, et al.,) WO
Respondents.)

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE
of the court that:

1. The petitioner's objection (Doc. #13) to the Recommendation of the Magistrate Judge filed on May 5, 2010 is overruled;
 2. The Recommendation of the Magistrate Judge (Doc. #12) filed on April 19, 2010 is adopted;
 3. The petition for habeas corpus relief filed by David Dafney is DISMISSED with prejudice as time-barred.

DONE this the 3rd day of June, 2010.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE